

2023 Regular Session

HOUSE BILL NO. 538

BY REPRESENTATIVE JENKINS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

VOTERS/VOTING: Provides relative to early voting locations

1 AN ACT

2 To amend and reenact R.S. 18:1309(A)(2) and (B)(1) and 1400.8, relative to early voting  
3 locations; to provide for additional early voting locations for statewide elections in  
4 certain parishes; to provide for the payment of certain expenses related to additional  
5 early voting locations; to provide for the alternate location of an early voting  
6 location; to provide for notice of locations; to provide for implementation; and to  
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 18:1309(A)(2) and (B)(1) and 1400.8 are hereby amended and  
10 reenacted to read as follows:

11 §1309. Early voting; verification

12 A.

13 \* \* \*

14 (2)(a) During the early voting period, the registrar shall maintain regular  
15 office hours, remaining open from 8:30 a.m. to 6:00 p.m. Monday through Saturday.  
16 Early voting on each day of the early voting period shall terminate when all persons  
17 who were in line to vote at the close of the regular office hours of the registrar's  
18 office, as provided in this Paragraph, have been allowed to vote. If the office space  
19 of the registrar is insufficient or inconvenient to accommodate early voting, the  
20 registrar may provide for an alternate location to conduct early voting, ~~which~~

1 ~~location shall be in the courthouse or in a public building in the immediate vicinity~~  
2 ~~thereof, and in such case, adequate~~

3 (b) During statewide elections, each parish shall provide for a minimum  
4 number of early voting locations based on population as shown by the latest federal  
5 decennial census and area. The minimum number of early voting locations shall be  
6 as follows:

<u>Parish Population Range</u>	<u>Minimum Number of Early Voting Sites</u>
<u>0 to 30,000</u>	<u>1</u>
<u>30,001 to 100,000</u>	<u>2</u>
<u>100,001 to 200,000</u>	<u>3</u>
<u>200,001 to 300,000</u>	<u>4</u>
<u>300,001 to 400,000</u>	<u>5</u>
<u>400,001 or more</u>	<u>6</u>
<u>Parish Area</u>	<u>Minimum Number of Early Voting Sites</u>
<u>Less than 1,000 square miles</u>	<u>1</u>
<u>1,000 square miles or more</u>	<u>2</u>

17 (c) Adequate notice shall be posted at the registrar's office and on the  
18 website of the registrar, if the registrar has a website, and on the website of the clerk  
19 of court, if the clerk of court has a website, informing the public of ~~the~~ each location  
20 where early voting is being conducted.

21 \* \* \*

22 B.(1) For the purpose of facilitating early voting, the registrar may designate,  
23 in addition to the ~~location~~ locations for early voting provided in Subsection A of this  
24 Section, one or more branch offices wherein early voting may be conducted. Any  
25 such branch office shall be located in a public building, and the days during which  
26 early voting may be conducted therein shall be fixed by the registrar, with the  
27 approval of the secretary of state, at least thirty days prior to a primary election and  
28 twenty-one days prior to a general election, as provided in Subsection A of this  
29 Section, and the registrar shall post at his office adequate notice of the days on which  
30 early voting will be held at each branch office. However, if a branch office of a

1 registrar is destroyed, inaccessible, or unsafe during or following a gubernatorially  
 2 declared state of emergency, the registrar may utilize a temporary building as a  
 3 branch office to discharge his duties until an office that meets the requirements of  
 4 this Section becomes available. Such temporary office shall be located within the  
 5 parish, or if there is no appropriate location within the parish due to the emergency,  
 6 then in an immediately adjacent parish, or if there is no appropriate location in any  
 7 immediately adjacent parish due to the emergency, then in the nearest parish in  
 8 which there is an appropriate location.

9 \* \* \*

10 §1400.8. Expenses incurred by registrars of voters conducting early voting; payment  
 11 by secretary of state

12 A. Election expenses incurred by a registrar of voters and his permanent  
 13 employees to perform election duties and responsibilities associated with early  
 14 voting on any day during the week between 4:30 p.m. and the time that early voting  
 15 terminates that day and on any Saturday on which early voting is conducted shall be  
 16 paid by the state from funds appropriated to the secretary of state for that purpose  
 17 and shall be a reimbursable election expense as provided by R.S. 18:1400.2.

18 B.(1) Notwithstanding Subsection A of this Section, for each additional early  
 19 voting location required by R.S. 18:1309(A)(2)(b) at a statewide election in 2024,  
 20 twenty-two thousand dollars shall be paid to the registrar of voters from funds  
 21 appropriated to the secretary of state for that purpose, if adequate funds are  
 22 appropriated for that purpose.

23 (2) Notwithstanding Subsection A of this Section, beginning with the first  
 24 statewide election in 2025, for each new early voting location required by R.S.  
 25 18:1309(A)(2)(b), the following shall be paid to the registrar of voters from funds  
 26 appropriated to the secretary of state for that purpose:

27 (a) One-half of the technology replacement fee.

28 (b) A subsidy for the salary of four temporary registrar of voters staff for  
 29 each day of early voting at the current rate paid to a commissioner-in-charge.

1 Section 2. The provisions of R.S. 18.1309(A)(2)(b) as provided by this Act shall be  
2 implemented in statewide elections beginning in 2024.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 538 Original

2023 Regular Session

Jenkins

**Abstract:** Provides for additional early voting locations in certain parishes and the payment of certain expenses related to those additional locations.

Present law (R.S. 18:1309(A)) requires the registrar of voters to conduct early voting in the registrar's office, unless the space is insufficient, in which case the registrar may provide for an alternate location which shall be in a courthouse or a public building in the immediate vicinity of the courthouse.

Proposed law removes the requirement that the alternate location be in a courthouse or public building in the immediate vicinity of the courthouse.

Present law (R.S. 18:1309(B)) provides that to facilitate early voting, the registrar may designate, in addition to the location for early voting provided in present law, one or more branch offices wherein early voting may be conducted.

Proposed law retains present law.

Present law (R.S. 18:1309(C)) provides that in parishes which extend in one direction more than 50 miles and which are interspersed with navigable waters, the registrar may designate, in addition to the locations for early voting provided for in present law, one additional branch office wherein early voting may be conducted.

Proposed law retains present law.

Proposed law provides that the minimum number of early voting locations shall be as follows:

Parish Population Range	Minimum Total Number of Early Voting Sites
0 to 30,000	1
30,001 to 100,000	2
100,001 to 200,000	3
200,001 to 300,000	4
300,001 to 400,000	5
400,001 or more	6

Parish Area	Minimum Total Number of Early Voting Sites
Less than 1,000 square miles	1
1,000 square miles or more	2

Present law requires notice to be posted at the registrar's office informing the public of the location where early voting is being conducted.

Proposed law retains present law and further requires notice to be posted on the website of the registrar, if the registrar has a website, and on the website of the clerk of court, if the clerk of court has a website.

Present law (R.S. 18:1400.8) provides that election expenses incurred by a registrar of voters and his permanent employees to perform election duties and responsibilities associated with early voting shall be paid from funds appropriated to the secretary of state for that purpose and shall be a reimbursable election expense.

Proposed law retains present law but provides that for each additional early voting location required by proposed law at a statewide election in 2024, \$22,000.00 shall be paid to the registrar of voters from funds appropriated to the secretary of state for that purpose, if adequate funds are appropriated.

Proposed law further provides that beginning with the first statewide election in 2025, for each new early voting location required by proposed law, one-half of the technology replacement fee and a subsidy for the salary of four temporary registrar of voters staff for each day of early voting at the current rate paid to a commissioner-in-charge shall be paid to the registrar of voters from funds appropriated to the secretary of state for that purpose.

(Amends R.S. 18:1309(A)(2) and (B)(1) and 1400.8)